

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

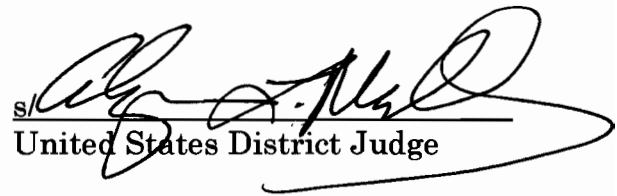
ELENA YRIS ROSARIO MENA,	:	
	:	
Plaintiff	:	Civil Action 2:09-cv-484
	:	
v.	:	Judge Marbley
	:	
PETSMART, INC.,	:	Magistrate Judge Abel
	:	
Defendant	:	

ORDER

Plaintiff Elena Yris Rosario Mena filed this action on June 15, 2009, alleging that, while working for Defendant, she was struck by a falling box and injured. In her complaint, she sought the payment of disability benefits resulting from this workplace accident. On July 16, 2009, the Magistrate Judge issued an initial screening report and recommendation, in which he found that, as Plaintiff did not allege that her injury was intentionally inflicted by her employer, the only way for her to seek compensation for her injury would be through filing a claim with the Ohio Bureau of Workers' Compensation. The Magistrate Judge therefore recommended that this case be dismissed, as Plaintiff's claims are barred as a matter of law.

Plaintiff did not file any objections to the Report and Recommendation. Given Plaintiff's lack of objection, and on *de novo* review as required by 28 U.S.C. §636(b), I find the report and recommendation well taken. Accordingly, it (Doc. 6) is

ADOPTED. This action is hereby **DISMISSED**. The Clerk of Court is **DIRECTED** to terminate Doc. 2 and to close this case.


s/_____
United States District Judge